

**THE VIABILITY OF U.S. ANTI-
SATELLITE (ASAT) POLICY:
MOVING TOWARD SPACE
CONTROL**

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FOREWORD

We are pleased to publish this thirtieth volume in the *Occasional Paper* series of the US Air Force Institute for National Security Studies (INSS). It is particularly timely that with the increased emphasis on space within the US Air Force, in light of the ongoing HQ USAF efforts toward air and space integration into a true aerospace force, and in the wake of the 1998 INSS conference "Spacepower for a New Millennium," this work represents the initiation of our Space Policy Series of INSS *Occasional Papers*. In this paper, Dr Joan Johnson-Freese presents an examination of past U.S. policy and international treaty interpretations on anti-satellite weapons (ASATS) in space within the context of the organizational politics surrounding questions of developing and deploying these systems. With the ever-increasing American commercial and military reliance on space, these questions are particularly timely, and it is our hope that the debate on ASATS—indeed on the larger issues of weaponization of space—can be better informed by this paper.

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JAMES M. SMITH
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EXECUTIVE SUMMARY

The United States has the highest reliance on satellites of any country in the world, not only in the national security sector, but the private sector as well. Although it has recognized the importance of protecting satellites as strategic assets since their inception, different times and circumstances have yielded different approaches regarding how and how vigorously this should be accomplished. During most of the Cold War, the United States' desire to protect its satellites was overridden by wanting to avoid what were considered potentially destabilizing efforts, and what seemed as an inevitable arms race in space that would result from those latter efforts. During the Reagan Administration, however, the United States tacitly engaged in a space arms race with the Soviet Union, called the Strategic Defense Initiative (SDI, or Star Wars).

This paper suggests that the varied strategic arguments that pervaded in past ASAT debates are now, for the most part, gone. Another broader argument has, however, replaced them, and in some ways presents a more nuanced organizational issue. That issue concerns determination of the relative importance of space weaponry designed toward negating space-based threats, the traditional role of ASATs, within the parameters of U.S. space control capabilities specifically and military planning generally. In that context, it is argued that although past political impediments to the development of ASATs have dissipated, ASAT development will likely continue conservatively much as it has in the past, now as a part of a broader spectrum of efforts. In a change from the past, however, organizational politics and fiscal prioritization rather than macro strategic political and public debate now determine such a course.

Previously, because the ASAT debate was a macro political and sometimes public issue, assessing the viability of U.S. ASAT policy required that three interrelated, critical elements be considered: policy, law, and programs. Recognizing the difference between policies and programs, and why they might be rationally assumed as linked, manifests a definitional nuance *cum* essential difference rarely acknowledged. A policy is "a high-level overall plan embracing the general goals and acceptable procedures."¹ Paraphrased, it is a statement of intent. A program, on the other hand, in governmental terms is an activity which has been substantively approved (authorization) and for which funds have been made available (appropriation). Theoretically, programs are the vehicles for carrying out policies. In the United States, however, it has been the case that policies and programs sometimes do not match. This has been particularly true in the space field, because space policy so often evolves as a subset of foreign or defense policy.² One can argue it is through funded activity that actual governmental priorities can be determined. Aaron Wildavsky states "budgeting is a process of discovering and enforcing preferences."³ Therefore, in considering ASAT policy, it has been necessary to consider both policy and funded programs, because the two did not necessarily match.

U.S. action, or inaction, must also be considered within the context of international treaties to which the United States is a party, and relevant domestic laws. Although the ability to dictate policy is theoretically driven by these parameters, it is argued in this paper that has not actually been the case. Indeed when the legal parameters have become inconvenient toward achieving political goals, the tack has been to simply find a lawyer who can give a more acceptable interpretation to the law than that which had formerly held. These permeable legal interpretations have played a critical role in perpetuating the approach-avoidance ambivalence previously characteristic of U.S. ASAT policy.

There has been more-or-less official ASAT policy, and additionally, though not necessarily related, several ASAT programs at different developmental stages under several policy justifications, and various sponsors.

The examination begins by looking at the past as prologue to the present and future. It is important to understand the depth and assumptions behind past philosophic positions in support of and against ASATS in order to appreciate how remarkable it is that in a period of about a decade, those positions have been subsumed by organizational politics. The past also provides a beginning for understanding the origins of the attitudes that now shape the organizational politics.

¹ *Merriam-Webster's Collegiate Dictionary*, (Springfield, MA: Merriam-Webster, Inc., 1997) Tenth Edition, 901.

² Joan Johnson-Freese and Roger Handberg, *Space, the Dormant Frontier: Changing the Paradigm for the 21st Century*, (Westport, CN, Praeger, 1997), 37-44.

³ Aaron Wildavsky, *The New Politics of the Budgetary Process* (New York: Harper-Collins, 1992).